

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA

)

)

v.

)

)

HAMZA KOLSUZ

)

Case No. 1:16-CR-53

ORDER

This matter came before the Court for a nonjury trial in which the government charged defendant with (i) one count of conspiracy to commit an offense against the United States, in violation of 18 U.S.C. § 371, (ii) one count of attempting to export firearm parts without the requisite license, in violation of 22 U.S.C. § 2778, and (iii) one count of smuggling goods from the United States, in violation of 18 U.S.C. § 554.

During the course of the trial, the government elicited testimony from a number of witnesses and introduced a number of documents in support of the charged offenses. Following the government's presentation of evidence, defendant moved for judgment of acquittal pursuant to Rule 29, Fed. R. Crim. P., and that motion was denied from the bench on the ground that the government had presented ample evidence to support a finding beyond a reasonable doubt that defendant was guilty of the three counts charged in the indictment. Defendant was then advised that he was not required to present any evidence or to testify, as the government had the burden of proof, and defendant had no burden to prove his innocence. Nonetheless, defendant elected to testify and was cross-examined.

At the conclusion of the evidence, in order to give the parties an opportunity to review the transcript, which was prepared expeditiously, the parties were directed in lieu of closing arguments to file briefs setting forth proposed findings of facts and conclusions of law. Neither

party requested a statement of “the court’s ... specific findings of fact in open court or in a written decision or opinion” pursuant to Rule 23(c), Fed. R. Crim. P. Nevertheless, the nature of the case and the substantial volume of testimony presented at trial warranted written findings of fact and conclusions of law. Thus, on June 23, 2016, written findings of fact and conclusions of law issued finding defendant guilty of all three counts charged in the indictment. *United States v. Kolsuz*, No. 1:16-CR-53 (E.D. Va. June 23, 2016) (Findings of Fact and Conclusions of Law) (Doc. 52).

Accordingly, based on the findings of fact and conclusion of law,

Defendant is **FOUND GUILTY** of (i) one count of conspiracy to commit an offense against the United States, in violation of 18 U.S.C. § 371, (ii) one count of attempting to export firearm parts without the requisite license, in violation of 22 U.S.C. § 2778, and (iii) one count of smuggling goods from the United States, in violation of 18 U.S.C. § 554.

It is hereby **ORDERED** that sentencing is **SCHEDULED** for 9:00 a.m., Friday, October 7, 2016.

The Clerk is directed to send a copy of this Order to all counsel of record.

Alexandria, Virginia
July 1, 2016



T. S. Ellis, III
United States District Judge